

THURSDAY, FEBRUARY 6, 1997

FOURTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative McAfee.

Representative McAfee led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Hargett; death in family

SPONSORS ADDED

House Bill No. 221: Rep(s). Eckles as prime sponsor(s).

House Bill No. 223: Rep(s). Eckles as prime sponsor(s).

House Bill No. 557: Rep(s). Pleasant as first prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Resolution No. 4** -- General Assembly, Review Or Ratification of Rules Ratifies amendments to Rules of Evidence. by *Buck, *Jackson, *McMillan.

Judiciary Committee

***House Resolution No. 5** -- General Assembly, Review Or Ratification of Rules Ratifies amendments to Rules of Civil Procedure. by *Buck, *Jackson, *McMillan.

Judiciary Committee

***House Resolution No. 6** -- General Assembly, Review Or Ratification of Rules Ratifies amendments to Rules of Criminal Procedure. by *Buck, *Jackson, *McMillan.

Judiciary Committee

***House Resolution No. 7** -- General Assembly, Review Or Ratification of Rules Ratifies amendments to Rules of Appellate Procedure. by *Buck, *Jackson, *McMillan.

Judiciary Committee

***House Joint Resolution No. 32** -- Constitutional Amendments - Ratifies 15th Amendment guaranteeing right to vote. by *Brown.

State & Local Government Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 10, 1997:

House Resolution No. 11 -- Memorials, Recognition and Thanks - TVA, stable rates for ten years. by *Boyer, *Burchett, *Dunn, *Armstrong, *Tindell, *Bittle, *Ritchie.

House Joint Resolution No. 34 -- Memorials, Death - Kewen Campbell "K.C." Dodson. by *Sands, *Walker.

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House Joint Resolution No. 35 -- Memorials, Public Service - Leon H. Shoulders, Sumner County Commission. by *McDonald, *Stamps, *Bone.

House Joint Resolution No. 36 -- Memorials, Death - State Representative Dederick "Teddy" Withers. by *Cooper, *Towns.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 10, 1997:

Senate Joint Resolution No. 23 -- Memorials, Death - Dr. I.B. Beale. by *Springer.

Senate Joint Resolution No. 24 -- Memorials, Professional Achievement - Paul Rogers, fortieth year of ministry. by *Springer.

Senate Joint Resolution No. 25 -- Memorials, Death - Jim Satterfield, Trousdale County Superintendent of Schools. by *Rochelle, *Davis L, *Springer, *Harper, *Burks.

Senate Joint Resolution No. 26 -- Memorials, Personal Occasion - Alton and Elberta Cowan, sixtieth anniversary. by *Rochelle.

Senate Joint Resolution No. 27 -- Memorials, Death - Dewitt Rollins. by *Rochelle, *Davis L.

Senate Joint Resolution No. 28 -- Memorials, Death - Bob Lowery. by *Rochelle, *Burks.

Senate Joint Resolution No. 29 -- Memorials, Recognition and Thanks - Donald Hosse. by *Wilder.

Senate Joint Resolution No. 30 -- Memorials, Death - Kenneth Owen. by *Springer.

Senate Joint Resolution No. 31 -- Memorials, Death - Jerry Nelson. by *McNally.

Senate Joint Resolution No. 33 -- Memorials, Recognition and Thanks - Sara Lay Cole. by *Wilder.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 377 -- Victims Rights - Clarifies definition of "child" for purposes of Criminal Injuries Compensation Act of 1976. Amends TCA Section 40-24-107 and Title 29, Chapter 13, Parts 1 and 3. by *Hargrove.

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House Bill No. 378 -- Treasurer, State - Removes FSLIC as insurer of state funds. Amends TCA Title 9, Chapter 4. by *Hargrove.

***House Bill No. 379** -- Election Laws - Decreases from ten to five days time for filing PAC quarterly reports. Amends TCA Title 2, Chapter 10. by *Hargrove.

***House Bill No. 380** -- Criminal Offenses - Decreases from \$500 to \$100 threshold for availability of treble damage award penalties for merchants. Amends TCA Title 39. by *Hargrove.

***House Bill No. 381** -- Foster Care - Enacts "Foster Parent Rights Act." Amends TCA Title 37, Chapter 2, Part 4. by *Hargrove.

***House Bill No. 382** -- Emergency Communications Districts - Authorizes districts to require assignment and posting of property numbers. Amends TCA Title 7, Chapter 86. by *Hargrove.

***House Bill No. 383** -- State Prisoners - Authorizes commissioner of correction to assess deductions from moneys made from sale of produced arts and crafts. Amends TCA Title 41, Chapter 6. by *Hargrove.

House Bill No. 384 -- Claims Commission, Tennessee - Replaces commissioner of revenue with commissioner of finance and administration on board of claims. Amends TCA Title 9, Chapter 8. by *Hargrove.

***House Bill No. 385** -- Child Abuse - Requires appropriate law enforcement official to conduct initial investigation of report or allegation of child abuse or neglect, aggravated child abuse or child sexual abuse rather than department of human services. Amends TCA Title 37, Chapter 1 and Title 39, Chapter 15, Part 4. by *Bird, *Newton.

***House Bill No. 386** -- Election Laws - Requires election coordinator to color code ballots by political affiliation. Amends TCA Title 2, Chapter 5, Part 2. by *Bird, *Newton.

***House Bill No. 387** -- Criminal Offenses - Requires commissioner of revenue to give dealer in violation of TCA Title 67, Chapter 6, ten business days' notice in writing requiring dealer to appear before commissioner. Amends TCA Title 39 and Title 67. by *Hargett.

***House Bill No. 388** -- Pensions and Retirement Benefits - Provides for 8 percent increase in retirement allowances of teachers retired after 1/1/97, to be effective 7/1/97. Amends TCA Title 8, Chapter 36, Part 7. by *Windle.

***House Bill No. 389** -- Criminal Offenses - Extends period for claiming reward for apprehension and conviction of certain criminals. Amends TCA Title 40, Chapter 8. by *Windle.

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***House Bill No. 390** -- Driver Licenses - Deletes requirement that medically impaired person qualifying for commercial driver license be regularly employed driver of commercial motor vehicle for three continuous years prior to April 30, 1990. Amends TCA Title 55, Chapter 40. by *Windle.

***House Bill No. 391** -- Judicial Districts - Shortens period court security committee must report findings on court security needs to county legislative body and administrative office of the courts. Amends TCA Title 16, Chapter 2. by *Windle.

***House Bill No. 392** -- Workers' Compensation - Requires all subcontractors and employers in construction industry to carry workers' compensation insurance without regard to five employee threshold. Amends TCA Title 50, Chapter 6. by *Williams (Williamson).

***House Bill No. 393** -- Courts, Juvenile - Requires juvenile court to appoint guardian ad litem for child in every child abuse or neglect case resulting in judicial proceeding; requires any court appointed special advocate to be trained in accordance with Tennessee Court Appointed Special Advocate Association standards. Amends TCA Section 37-1-149. by *Williams (Williamson).

***House Bill No. 394** -- Courts - Makes certain changes to allow for addition of in-house collection procedure to collect fines, litigation taxes, and costs. Amends TCA Title 40, Chapter 24. by *Kent.

***House Bill No. 395** -- Motor Vehicles - Adds new category to special permits for certain sealed containerized cargo units. Amends TCA Title 55, Chapter 7. by *Westmoreland, *Mumpower, *Godsey.

House Bill No. 396 -- General Assembly - Establishes term limits of 12 consecutive years in house to which elected for members of general assembly. Amends TCA Title 3. by *Westmoreland, *Godsey, *Mumpower.

House Bill No. 397 -- Physicians and Surgeons - Exempts health care professionals from civil damages for delivering care voluntarily, without compensation, at certain clinics unless act or omission result of gross negligence or willful misconduct; defines "professional" as state employees for certain purposes. Amends TCA Title 8, Chapter 42, Part 1; Title 9, Chapter 8 and Title 63. by *Westmoreland, *Godsey, *Mumpower.

House Bill No. 398 -- Sullivan County - Subject to local approval, creates "Northeast Tennessee Corridor Overlay District." Repeals Chapter 77 of the Private Acts of 1995. by *Westmoreland, *Godsey, *Mumpower.

House Bill No. 399 -- Sentencing - Makes penalty for offense of coercing criminal juror and improperly influencing criminal juror same classification as offense for which juror was coerced or influenced. Amends TCA Title 39, Chapter 16, Part 5. by *Westmoreland, *Godsey, *Mumpower.

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***House Bill No. 400** -- Education - Provides that child considered "withdrawn" from school for purpose of having driver license revoked after seven days, rather than 10 to 15 days, of unexcused absence. Amends TCA Section 49-6-3017. by *Westmoreland, *Godsey, *Mumpower.

House Bill No. 401 -- School Transportation - Permits LEA to transport students to and from school activities in van, provided van operated under rental agreement; exempts such vans from certain federal standards and guidelines Amends TCA Title 49, Chapter 6, Part 21. by *Westmoreland, *Godsey, *Mumpower.

***House Bill No. 402** -- Telecommunications - Includes telecommunications providers within definition of "telephone corporation" and "telephone company," thus authorizing construction of lines and facilities Amends TCA Title 65, Chapter 21, Part 1. by *Head.

***House Bill No. 403** -- Taxes, Real Property - Changes manner of assessing operating property Amends TCA Section 67-5-1302. by *Head.

House Bill No. 404 -- Highway Signs - "Veterans Memorial Parkway," segment of U.S. 421 in Johnson County. by *Mumpower.

***House Bill No. 405** -- Animals - Provides equal immunity from damages for killing or destroying any dog running at large which presently exists for proud bitch; exempts certain dogs. Amends TCA Section 44-8-411. by *Walley.

***House Bill No. 406** -- Dentists - Adds dental assistant as member of board of dentistry. Amends TCA Section 63-5-102; Section 63-5-103 and Section 63-5-105. by *Walley.

House Bill No. 407 -- Environment and Conservation, Department of - Enacts "Tennessee Lead Based Paint Abatement Training Certification Program of 1997." by *Bowers, *Jones U (Shelby), *Miller L, *Brooks, *Cole (Dyer), *McKee, *Fitzhugh, *Cross, *Pruitt, *Brown.

House Bill No. 408 -- AIDS - Enacts "Tennessee AIDS Insurance Assistance Program." by *Bowers, *Jones U (Shelby), *Miller L, *Cooper, *Brooks.

House Bill No. 409 -- Correction, Dept. of - Directs department to have each inmate undergo HIV testing during classification Amends TCA Title 41, Chapter 21, Part 1. by *Bowers, *Jones U (Shelby), *Miller L, *Cooper, *Brooks.

***House Bill No. 410** -- Driver Licenses - Requires department of safety to notify licensee of suspension by certified mail, return receipt requested. Amends TCA Section 55-50-502. by *Bowers, *Jones U (Shelby), *Miller L, *Cooper, *Brooks.

***House Bill No. 411** -- Aged Persons - Authorizes department of health to establish daily or monthly amount by which reimbursement shall be paid to residential homes for aged participating in state pilot program instead of present requirement of \$13.00 per day less patient income. Amends TCA Section 12-4-320. by *Bowers, *DeBerry L, *Jones U (Shelby), *Miller L, *Cooper, *Brooks.

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House Bill No. 412 -- Health - Enacts "Tennessee HIV Pregnancy Screening Act.". by *Bowers, *Jones U (Shelby), *Miller L, *Cooper, *Brooks.

***House Bill No. 413** -- Insurance, Health, Accident - Enacts "Genetic Information Nondiscrimination in Health Insurance Act of 1997.". by *Bowers, *DeBerry L, *Jones U (Shelby), *Miller L, *Cooper, *Brooks, *Pruitt, *Brown.

***House Bill No. 414** -- Real Estate Agents and Brokers - Authorizes Tennessee real estate commission to enter into reciprocity agreements with other states. Amends TCA Title 62, Chapter 13. by *Kent.

House Bill No. 415 -- Motor Vehicles, Titling and Registration - Authorizes issuance of special license plates bearing logo of Emergency Medical Services. Amends TCA Title 55, Chapter 4. by *Huskey.

House Bill No. 416 -- Education, Higher - Deletes provision allowing in-state tuition at Austin Peay to certain Kentucky students; substitutes in-state tuition at East Tennessee State University and University of Memphis for certain out-of-state students living in proximity to such campuses. Amends TCA Section 49-8-102. by *Kernell.

***House Bill No. 417** -- Equalization Board - Makes present salary cap of \$40.00 per day minimum salary with continued authority of county legislative body to set salary Amends TCA Section 67-1-403. by *Givens.

House Bill No. 418 -- Taxes, Real Property - Authorizes municipal tax collector to use same procedures as trustee for collection of personal property taxes Amends TCA Title 67, Chapter 5. by *Rhinehart.

House Bill No. 419 -- Liens - Revises provisions concerning artisan and garagekeeper's liens. Amends TCA Section 66-14-102 and Section 66-19-103. by *Rhinehart, *Bowers, *Hassell, *Givens, *Halteman Harwell, *Whitson, *Clabough, *Head, *Phelan.

***House Bill No. 420** -- Salaries and Benefits - Establishes commission to make recommendations on compensation and expenses of members of general assembly. Amends TCA Title 3, Chapter 1. by *Kernell.

***House Bill No. 421** -- Medical Occupations - Authorizes committee on physician assistants to waive continuing education requirements for hardship reasons; authorizes committee to impose investigative costs for successful prosecutions of physician assistants; increases per diem reimbursement of committee members from \$50.00 to \$100 a day. Amends TCA Title 63, Chapter 19. by *Jones, S..

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House Bill No. 422 -- Election Laws - Prohibits county election commission from permitting inspection of public record containing social security number to any person other than holder of number unless record is redacted. Amends TCA Title 2, Chapter 2. by *Sharp, *Ford S.

***House Bill No. 423** -- General Assembly - Entitles members of general assembly traveling more than 50 miles to approved legislative meeting to receive hotel expenses; applies to 101st General Assembly and subsequent general assemblies. Amends TCA Section 3-1-106. by *Kernell.

***House Bill No. 424** -- Professions and Occupations - Specifies that renewal of license of alarm systems contractor be postmarked or received by board before such license expires. Amends TCA Title 62, Chapter 32, Part 3. by *Head.

***House Bill No. 425** -- Contractors - Revises fee for retirement of general contractor's license from \$25.00 to fee to be set by board. Amends TCA Title 62, Chapter 6. by *Head.

***House Bill No. 426** -- Salaries and Benefits - Extends from one to two years length of time that payroll records must be kept under prevailing wage law for state construction contracts. Amends TCA Title 12, Chapter 4, Part 4. by *Head.

***House Bill No. 427** -- Juries and Jurors - Requires judge to inform prospective juror who is allowed to select time period of service if there is any reason that a particular time period may require a longer period of service than originally stated. Amends TCA Title 22. by *Kernell.

House Bill No. 428 -- Drug and Alcohol Rehabilitation - Revises law concerning alcohol and drug abuse treatment services under TennCare. Amends TCA Title 68 and Title 71. by *White.

House Bill No. 429 -- Guardianship - Permits venue for guardianship to be changed within state or out of state in court's discretion. Amends TCA Title 35, Chapter 1. by *Fowlkes.

House Bill No. 430 -- Municipal Government - Refines appointment, confirmation, and management powers for mayor in mayor-aldermanic form of local government. Amends TCA Title 6, Chapter 3. by *Fowlkes.

***House Bill No. 431** -- Regional Authorities - Redistributes certain funds to entities in Giles County relative to abolition of Tennessee Elk River Authority. Amends Chapter 816 of the Public Acts of 1996. by *Fowlkes.

House Bill No. 432 -- Taxes, Inheritance Gift - Authorizes residuary beneficiaries of estate and beneficiaries of trust to inspect tax return of such estate or trust. Amends TCA Title 67. by *Fowlkes.

House Bill No. 433 -- Trusts - Sets out powers of and limitations upon trustee-beneficiaries of trusts. Amends TCA Title 35. by *Fowlkes.

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House Bill No. 434 -- Business Organizations - Requires limited partners to withdraw from partnership in accordance with partnership agreement. Amends TCA Title 61. by *Fowlkes.

House Bill No. 435 -- Charitable Institutions - Enacts "Tennessee Charitable Beneficiaries Act of 1997." Amends TCA Title 35. by *Fowlkes.

House Bill No. 436 -- Probate Law - Makes various changes to probate, trust, gift and estate provisions. Amends TCA Title 30; Title 31; Title 32; Title 34 and Title 35. by *Fowlkes.

House Bill No. 437 -- Probation - Establishes standards for private contractors who supervise misdemeanor probationers. Amends TCA Section 40-35-302. by *Fowlkes.

***House Bill No. 438** -- General Assembly, Studies - Extends reporting deadline for character education study commission from February 1, 1997 to February 1, 1998; extends sunset date from July 1, 1997 to July 1, 1998. Amends TCA Title 49, Chapter 6, and Chapter 975 of the Public Acts of 1996. by *Fowlkes, *McDonald.

***House Bill No. 439** -- Judges and Chancellors - Creates additional position of judge in 22nd judicial district, to be filled by gubernatorial appointment until 1998 election. Amends TCA Section 16-2-506. by *Fowlkes, *White, *Tidwell.

***House Bill No. 440** -- Uniform Commercial Code - Rewrites process for filing continuation of financing statements by secured parties; clarifies changes made when law revised in 1996 (Chapter 1073, Public Acts of 1996). Amends TCA Title 47, Chapter 9. by *Fowlkes, *Chumney, *Fitzhugh.

***House Bill No. 441** -- Claims Commission, Tennessee - Replaces commissioner of revenue with commissioner of finance and administration on board of claims; limits applicable appellate rules to those governing final judgments entered in civil actions by trial courts. Amends TCA Section 9-8-101(a) and Section 9-8-403(a)(1). by *Fowlkes.

***House Bill No. 442** -- Taxes, Privilege - Imposes taxes in same amount and manner as any repealed federal taxes, revenue to go to highway trust fund. Amends TCA Title 67. by *Fowlkes, *Robinson, *White, *Rinks, *Kisber, *Davis, *Huskey, *Kent, *Haley, *Turner (Shelby), *Jones U (Shelby).

***House Bill No. 443** -- Correctional Programs - Authorizes the awarding of additional sentence reduction credits to prisoners who provide information leading to the prevention of or who prevent the commission of specified serious offenses by other prisoners. Amends TCA Section 41-21-236. by *Kernell.

***House Bill No. 444** -- Environmental Preservation - Prohibits state purchases of Champion Paper products; encourages other consumers to boycott such products until Champion stops polluting Pigeon River. Amends TCA Title 12 and Title 69. by *Odom.

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House Bill No. 445 -- Insurance, Health, Accident - Provides for appointment of certain members of general public to serve as non-voting members of board of hospital and medical service corporations organized prior to July 1, 1981. Amends TCA Section 56-29-105. by *Odom.

House Bill No. 446 -- Managed Care Organizations - Requires officers of hospital and medical service organizations to disclose conflicts of interest. Amends TCA Section 56-29-105. by *Odom.

House Bill No. 447 -- Managed Care Organizations - Requires officers, as well as directors, of hospital and medical service corporations to disclose and report all income received from businesses doing business with or receiving funds from such hospital and medical service corporations. Amends TCA Section 56-29-105. by *Odom.

House Bill No. 448 -- Medical Occupations - Waives educational requirements for applicant for certification as certified nurse technician if such applicant has three or more years' experience performing nurse or nurse-related services. Amends TCA Section 68-11-209. by *Odom.

***House Bill No. 449** -- Motor Vehicles, Titling and Registration - Authorizes county clerks to provide county name strip to county residents purchasing vehicle out of county of residence. Amends TCA Title 55. by *Odom.

***House Bill No. 450** -- Human Services, Dept. of - Redefines "exploitation" in adult protection law. Amends TCA Title 71, Chapter 6. by *Brown.

***House Bill No. 451** -- Aged Persons - Authorizes commissioner of health, subject to available funding, to establish program to purchase Medicare supplemental insurance or to provide other medical assistance for certain low-income, elderly homeowners. Amends TCA Title 71, Chapter 5, Part 1. by *Brown.

***House Bill No. 452** -- Juvenile Offenders - Creates youthful felony offender system in department of children's services. Amends TCA Title 3, Chapter 15, Part 2; Title 37, Chapter 1, Part 1 and Title 37, Chapter 5, Part 1. by *Brown.

House Bill No. 453 -- Children - Establishes within department of children's services the "support our students (S.O.S.) program"; provides for award of certain grants. Amends TCA Title 37, Chapter 5. by *Brown.

***House Bill No. 454** -- Highway Signs - "Chattanooga African American Museum," I-124. by *Brown.

House Bill No. 455 -- Day Care - Defines "DHS day care reimbursement clean claim"; requires department to pay such claim within certain time period or, alternatively, to pay interest on such claim. Amends TCA Section 71-1-130. by *Brown.

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***House Bill No. 456** -- Taxes, Gasoline, Petroleum Products - Requires persons required to pay gasoline tax to preserve records for period of not less than four instead of three years. Amends TCA Title 67, Chapter 3, Part 11; Title 67, Chapter 3, Part 6 and Title 67, Chapter 3, Part 8. by *Miller L.

***House Bill No. 457** -- Highway Signs - "Lt. Alexander Bonnyman Memorial Bridge," Pellissippi Parkway in Knox County. by *Ritchie.

House Bill No. 458 -- Adoption - Permits presiding judge in uncontested adoption cases to take judicial notice of any information contained in petitioner's verified petition. Amends TCA Title 36, Chapter 1, Part 1. by *Ritchie.

***House Bill No. 459** -- Funeral Directors and Embalmers - Removes exemption of medical officers in armed forces, medical residents, physicians and surgeons from requirements of funeral directors and embalmers. Amends TCA Section 62-5-102. by *Garrett.

***House Bill No. 460** -- Funeral Directors and Embalmers - Requires funeral directors and embalmers to obtain ten hours of continuing education in mortuary science before renewing licenses; sets requirements for offering continuing education courses. Amends TCA Section 62-5-101 and Title 62, Chapter 5, Part 3. by *Garrett.

***House Bill No. 461** -- Education, Higher - Provides that funds in the state board system shall be distributed on per capita student enrollment basis. Amends TCA Title 49, Chapter 8. by *McKee.

***House Bill No. 462** -- Education, Higher - Bases higher education funding on per capita enrollment rather than enrollment, programs, and institutional differences. by *McKee.

***House Bill No. 463** -- Disabled Persons - Provides that disabled person's registration, license plates and placards shall not exceed cost of normal registration fees. Amends TCA Title 55. by *McKee.

House Bill No. 464 -- Physicians and Surgeons - Authorizes persons with five years' postgraduate medical experience outside of United States to obtain physician's license in Tennessee. Amends TCA Title 63, Chapter 6, Part 2. by *McKee.

House Bill No. 465 -- McMinn County - Subject to local approval, permits trustee to accept property tax payments after July 10. by *McKee.

***House Bill No. 466** -- Salaries and Benefits - Requires annual cost of living increase for state employees equal to increase in previous year's CPI in addition to any other salary increase. Amends TCA Title 8, Chapter 23. by *Bird, *Newton.

***House Bill No. 467** -- Pensions and Retirement Benefits - Grants retirement benefits for teachers, firefighters and law enforcement officers in Group 1 after 25 years of service and attainment of age 50. Amends TCA Title 8 and Title 36. by *Bird, *Newton.

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House Bill No. 468 -- Unemployment Compensation - Allows person receiving unemployment compensation to earn the greater of \$30.00 or 25 percent of weekly benefit amount instead of limiting earnings to \$30.00 a week before weekly benefits are reduced. Amends TCA Section 50-7-301(c)(1). by *Huskey.

***House Bill No. 469** -- Municipal Government - Permits cities of less than 5,000 population to increase number of aldermen to maximum of four without increasing number of wards. Amends TCA Section 6-3-101. by *Whitson.

House Bill No. 470 -- Greene County - Subject to local approval, repeals prohibition on the possession, storage, use, manufacture and sale of pyrotechnics. Amends Chapter 588 of the Private Acts of 1949. by *Whitson, *Davis.

House Bill No. 471 -- Greene County - Subject to local approval, authorizes increase of tax from amount not to exceed 2 percent to amount not to exceed 3 percent; revises distribution of tax. Amends Chapter 127 of the Private Acts of 1986. by *Whitson, *Davis.

***House Bill No. 472** -- Health, Dept. of - Authorizes commissioner to order unlicensed residential homes for the aged and assisted living facilities to cease and desist from providing care, without prior notice; establishes procedure, notice and right to request informal conference. Amends TCA Title 68, Chapter 11, Part 2. by *Whitson.

***House Bill No. 473** -- Taxes, Sales - Redefines "industrial machinery" to include certain machinery, apparatus and equipment utilized by persons licensed under Title 10, U. S. Code of Federal Regulations, Part 70. Amends TCA Section 67-6-102. by *Whitson.

House Bill No. 474 -- Marriage - Authorizes present and former county executives to solemnize marriages in any county of Tennessee; validates marriages previously solemnized by county executives outside their counties of residence. Amends TCA Section 36-3-301. by *Whitson.

***House Bill No. 475** -- Education - Deletes requirement that any person other than parent or guardian having custody or control of school age children shall cause such children to be enrolled in school. Amends TCA Title 49, Chapter 6. by *Winningham.

House Bill No. 476 -- Local Education Agency - Authorize state board of education to provide for charter alternative schools and LEAs to place students in such charter schools. Amends TCA Title 49, Chapter 6, Part 34. by *Winningham.

***House Bill No. 477** -- Pensions and Retirement Benefits - Increases from 1.5 to 1.6 percentage of member's average final compensation used to compute Group 1 retirement benefit. Amends TCA Title 8, Chapter 36, Part 2. by *Winningham.

***House Bill No. 478** -- Taxes - Requires commissioner of revenue to refund sales tax paid in excess of total tax due together with legal interest. Amends TCA Title 67, Chapter 6, Part 5. by *Winningham.

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***House Bill No. 479** -- Economic and Community Development - Increases from ten to 15 days period of time in which economic development agreements must be submitted to comptroller for review Amends TCA Title 4; Title 6; Title 13 and Title 71. by *Winningham.

House Bill No. 480 -- State Government - Allows holder of personal property not yet abandoned to contract to determine whereabouts of owner, but no contract costs may be charged to property or owner. Amends TCA Title 66, Chapter 29, Part 1. by *White, *Fitzhugh.

House Bill No. 481 -- Traffic Safety - Excludes persons age 21 and older from motorcycle helmet law requirement. Amends TCA Section 55-9-302(a). by *Burchett, *Cole (Dyer), *Phelan, *Beavers.

***House Bill No. 482** -- Sexual Offenses - Authorizes judges to impose chemical castration as condition of community supervision for life; mandates chemical castration for persons guilty of second conviction of sexual offense where victim is less than 13 years of age. by *Burchett, *Newton.

***House Bill No. 483** -- Sexual Offenses - Permits chemical castration of defendants upon second conviction for aggravated sexual battery when the victims are children as defined in TCA 39-3-504(a)(4). Amends TCA Title 39, Chapter 13, Part 5. by *Burchett, *Newton.

***House Bill No. 484** -- Taxes - Creates credit against taxes owed by business which hires inmates participating in authorized work release program. Amends TCA Title 67, Chapter 4. by *Burchett, *Newton.

House Bill No. 485 -- Correctional Programs - Adds management information systems experience as appropriate background for TRICOR board member Amends TCA Title 41, Chapter 22. by *McKee.

House Bill No. 486 -- Sexual Offenses - Requires person convicted of sexual offense where victim was less than 13 years of age to wear a "Child Sexual Offender" bracelet as a condition of lifetime community supervision Amends TCA Title 39, Chapter 13, Part 5. by *Burchett, *Newton.

***House Bill No. 487** -- Crime, Victims of - Authorizes immediate family of victim, such as spouse, child, stepchild, parent, grandparent, or sibling, to witness execution of person convicted of killing victim in area separate from other witnesses or by a closed circuit television broadcast. Amends TCA Title 40, Chapter 23. by *Burchett, *Newton.

***House Bill No. 488** -- Taxes - Revises method of receipt and distribution of tax revenue after annexation in Knox County Amends TCA Title 6, Chapter 51. by *Burchett.

House Bill No. 489 -- Professions and Occupations - Requires certain licensing bodies to state reasons for denial of license and what remedies available to obtain such license. Amends TCA Title 62 and Title 63. by *Kernell.

THURSDAY, FEBRUARY 6, 1997 -- FOURTH LEGISLATIVE DAY

House Bill No. 490 -- Water - Revises regular meeting times of the water quality control board. Amends TCA Title 69, Chapter 3, Part 1. by *Tidwell.

House Bill No. 491 -- Big Sandy - Subject to local approval, revises charter. Amends Chapter 200. by *Tidwell.

House Bill No. 492 -- Camden - Subject to local approval, replaces "town" designation with "city." Amends Chapter 350 of Acts of 1903. by *Tidwell.

House Bill No. 493 -- Highway Signs - "Veterans Memorial Parkway," U.S. 19E in Carter County. by *Cole (Carter).

***House Bill No. 494** -- Tobacco, Tobacco Products - Increases from Class C to Class A misdemeanor penalty for offense of retailer or wholesaler selling cigarettes at below cost. Amends TCA Title 47, Chapter 25, Part 3. by *Davis, *Walker, *Huskey.

***House Bill No. 495** -- County Government - Authorizes county legislative bodies to control litter on public or private property by resolution and to impose civil penalty instead of criminal penalty. Amends TCA Title 39, Chapter 14, Part 5. by *Gunnels.

***House Bill No. 496** -- Pensions and Retirement Benefits - Authorizes establishment of retirement credit for entire term of military service during term of draft or period of involuntary extension if person drafted instead of on basis of one day of creditable service for each two days of military service rendered. Amends TCA Section 8-34-605. by *Gunnels, *Walley, *McDaniel, *Mumpower.

***House Bill No. 497** -- Children - Requires parental rights be terminated for person convicted of aggravated child abuse and sexual offenses committed against a child of defendant; upon conviction district attorney to file petition with juvenile court to terminate rights with respect to child against whom offense committed. Amends TCA Title 39, Chapter 13, Part 5 and Section 39-15-402. by *Gunnels, *Halteman Harwell, *Stamps, *Walley, *McDaniel, *Bittle, *Sharp, *Mumpower, *Beavers, *Ritchie, *Cole (Dyer), *McKee, *Wood, *Armstrong, *Tindell, *Walker, *McAfee, *Stulce.

House Bill No. 498 -- Insurance, Motor Vehicles - Enacts "Automobile Liability Insurance Personal Responsibility Act of 1997." Amends TCA Title 56, Chapter 7, Part 11. by *Phelan, *Rinks, *Cole (Dyer).

House Bill No. 499 -- Education, Higher - Allows appeals of dismissal or suspension of tenured faculty to be heard by jury rather than by chancellor alone. Amends TCA Section 49-8-304. by *Langster.

***House Bill No. 500** -- Real Property - Grants costs of litigation to prevailing party in actions to enforce restrictive covenants, easements and preservation restrictions. Amends TCA Title 66, Chapter 9. by *Stulce, *Sharp.

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***House Bill No. 501** -- Annexation - Requires election of persons to be annexed to determine which municipality will prevail if two municipalities in same county annex same territory; deletes provision that gives priority to larger municipality. Amends TCA Section 6-51-110. by *Stulce, *Wood, *Sharp.

***House Bill No. 502** -- Pensions and Retirement Benefits - Permits former and current county election commission members to establish time as creditable service for computation of retirement benefits. Amends TCA Title 8, Chapter 35, Part 2. by *Stulce.

***House Bill No. 503** -- Insurance, Health, Accident - Enacts "Tennessee Insured's Right to Personal HIV Information Act of 1997." Amends TCA Title 56. by *DeBerry J.

***House Bill No. 504** -- Correctional Programs - Requires mandatory HIV testing for all inmates released from incarceration. Amends TCA Section 41-51-102. by *DeBerry J.

***House Bill No. 505** -- Criminal Offenses - Requires judge to consider victim impact statement in determining restitution to be paid by defendant. by *DeBerry J.

***House Bill No. 506** -- Consumer Protection - Prohibits persons from knowingly soliciting direct mail sales to children under age of 12, civil penalty not to exceed \$100 per violation. Amends TCA Title 47, Chapter 18. by *DeBerry J.

***House Bill No. 507** -- Insurance, Motor Vehicles - Prohibits cancellation or annulment of motor vehicle insurance policy absent binding finding of fault on part of insured. Amends TCA Section 55-12-122. by *DeBerry J.

***House Bill No. 508** -- Motor Vehicles - Prohibits child passenger ten years old or younger or who weighs less than 70 pounds from riding in front seat of vehicle equipped with airbags. Amends TCA Title 55, Chapter 9, Part 6. by *DeBerry J., *Bowers.

***House Bill No. 509** -- Alcoholic Beverages - Requires entities selling beer in Memphis to have no more than 30 percent of such entity's inventory in beer; violation civil penalty up to \$100 per day. Amends TCA 57-5-106. by *DeBerry J.

***House Bill No. 510** -- Sexual Offenses - Creates Class C felony offense of sexual battery by authority figure involving sexual contact with person between 13-18 by person occupying position of authority or trust over victim. Amends TCA Title 39, Chapter 13, Part 5. by *DeBerry J.

***House Bill No. 511** -- Driver Licenses - Authorizes department of safety to revoke driver license of person due to mental or physical illness which renders person unable to safely operate motor vehicle. Amends TCA Title 55, Chapter 50, Part 5. by *DeBerry J., *Bowers, *Jones U (Shelby), *Miller L.

***House Bill No. 512** -- Criminal Procedure - Makes all members of criminal street gang who are not responsible as principals co-conspirators to offense committed by person if offense committed at direction of street gang member and for purpose of completing initiation requirement for gang membership Amends TCA Title 39. by *DeBerry J., *McDonald.

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***House Bill No. 513** -- Minority Affairs - Enacts "Tennessee Minority Business Councils Cooperation Act of 1997." by *DeBerry J, *Bowers, *Turner (Shelby), *DeBerry L.

***House Bill No. 514** -- Children - Authorizes judge to require noncustodial parent of child to contribute to maintenance and support of custodial parent if custodial parent is a minor. Amends TCA Title 36, Chapter 2 and Section 36-5-102. by *DeBerry J.

House Bill No. 515 -- Sexual Offenses - Decreases from four to two number of years defendant must be older than victim in order to constitute offense of statutory rape Amends TCA Title 39, Chapter 13, Part 5. by *DeBerry J.

House Bill No. 516 -- Contractors - Requires persons who perform home inspections for fee to obtain license from board for licensing contractors. Amends TCA Title 4, Chapter 29 and Title 62. by *Bowers.

***House Bill No. 517** -- Insurance, Health, Accident - Mandates health care insurers to cover breast reconstructive surgery Amends TCA Title 56, Chapter 7, Part 25. by *Bowers, *DeBerry J.

House Bill No. 518 -- Health - Requires, in addition to tests for syphilis infection and rubella immunity, hepatitis B surface antigen test for pregnant women. Amends TCA Section 68-5-602. by *Bowers.

***House Bill No. 519** -- Consumer Protection - Establishes health care advocacy division in attorney general's office Amends TCA Title 71, Chapter 5, Part 1. by *Bowers, *DeBerry L, *Jones U (Shelby), *Miller L, *Cooper, *Brooks, *Williams (Williamson), *Curtiss, *Pruitt, *Brown, *McDonald.

***House Bill No. 520** -- Managed Care Organizations - Enacts "Managed Care Consumer Protection Act." by *Bowers, *DeBerry L, *Jones U (Shelby), *Miller L, *Cooper, *Brooks, *Williams (Williamson), *Curtiss, *Pruitt, *Brown, *McDonald.

***House Bill No. 521** -- Ethics - Extends from five to six years length of time within which adjudication of bankruptcy must be financially disclosed for certain public officials. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 8; Title 12; Title 33; Title 37; Title 38; Title 41; Title 63 and Title 68. by *Kent.

House Bill No. 522 -- Health - Requires testing of newborns for streptococcus A; prohibits health insurance policies from excluding coverage for this service. Amends TCA Title 56 and Title 68. by *Burchett.

House Bill No. 523 -- Rutherford - Subject to local approval, makes city election date regular November election Amends Chapter 133 of the Private Acts of 1994. by *Phelan, *Pinion.

House Bill No. 524 -- Gibson County - Subject to local approval, changes effective date on interchange of judges; adds interchange with juvenile judge Amends Chapter 198 of the Private Acts of 1996. by *Phelan, *Pinion.

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House Bill No. 525 -- Divorce and Annulment - Makes certain changes relative to divorce. Amends TCA Title 36. by *Kernell.

House Bill No. 526 -- County Officers - Upon adoption of resolution by 2/3 vote of Knox County legislative body, authorizes register to collect additional \$2.00 fee for each instrument to create, upgrade and maintain computerized document retrieval system. Amends TCA Section 8-21-1001. by *Boyer.

House Bill No. 527 -- Pensions and Retirement Benefits - Makes teachers eligible for retirement after 25, rather than 30, years of creditable service. Amends TCA Title 8, Chapter 36. by *Davidson, *Winningham.

***House Bill No. 528** -- Pensions and Retirement Benefits - Authorizes nonteacher former employees of Tennessee Appalacia Education Cooperative to become members of TCRS. Amends TCA Title 8, Chapter 35, Part 2. by *Windle.

House Bill No. 529 -- Real Estate Agents and Brokers - Enacts "Commercial Real Estate Broker Protection Act." Amends TCA Title 62. by *Williams (Williamson).

House Bill No. 530 -- Highways, Roads and Bridges - Increases speed limit on interstate highways from 65 to 70 mph. Amends TCA Title 55. by *Burchett, *Clabough.

House Bill No. 531 -- Utilities, Utility Districts - Authorizes fire service utility district to impose charges on nonsubscriber for cost of services rendered. Amends TCA Title 7, Chapter 86 and Title 7, Chapter 82. by *Clabough, *Kerr.

***House Bill No. 532** -- Pensions and Retirement Benefits - Provides that "average final compensation" of teachers for retirement purposes shall be calculated on highest three years of service rather than five years as currently used. Amends TCA 8-34-101. by *Winningham.

***House Bill No. 533** -- Police - Requires part-time and auxiliary police officers to complete 10 hours of training before performing any police-related work other than office-related work. Amends TCA Title 38, Chapter 8, Part 1. by *Winningham.

***House Bill No. 534** -- Taxes, Income - Exempts persons living in area designated as federal enterprise community located in Scott County from Hall Income Tax. Amends TCA Title 67, Chapter 2, Part 1. by *Winningham.

House Bill No. 535 -- Tort Liability - Enacts "Tennessee Anti-SLAP Act of 1997". by *Ritchie.

House Bill No. 536 -- Aged Persons - Enacts "Senior Citizen's Property Tax Deferral Act." Amends TCA Title 67, Chapter 5. by *Scroggs, *Kent.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 270** -- Loan Companies -- House Commerce Committee

***House Bill No. 271** -- Education, Higher -- Caption Bill Held on House Desk

***House Bill No. 272** -- Taxes, Excise -- Caption Bill Held on House Desk

***House Bill No. 273** -- Guardianship -- House Children and Family Affairs Committee

House Bill No. 274 -- Highway Signs -- House Transportation Committee

***House Bill No. 275** -- Utilities, Utility Districts -- House State & Local Government Committee

***House Bill No. 276** -- Hospitals and Health Care Facilities -- House Health & Human Resources Committee

House Bill No. 277 -- Taxes, Sales -- House Finance, Ways & Means Committee

***House Bill No. 278** -- Workers' Compensation -- House Consumer & Employees Affairs Committee

***House Bill No. 279** -- Contractors -- House Consumer & Employees Affairs Committee

***House Bill No. 280** -- Taxes, Sales -- House State & Local Government Committee

***House Bill No. 281** -- Hazardous Materials -- House Conservation & Environment Committee

***House Bill No. 282** -- Solid Waste Disposal -- House State & Local Government Committee

***House Bill No. 283** -- DUI/DWI Offenses -- House Judiciary Committee

***House Bill No. 284** -- Licenses -- House Health & Human Resources Committee

***House Bill No. 285** -- Massage -- House Health & Human Resources Committee

***House Bill No. 286** -- Highways, Roads and Bridges -- House Transportation Committee

House Bill No. 287 -- Dayton -- Local Bill Held on House Desk

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***House Bill No. 288** -- Redistricting, Legislative & Congressional -- House State & Local Government Committee

***House Bill No. 289** -- Insurance, Health, Accident -- House Commerce Committee

***House Bill No. 290** -- Drugs -- House Health & Human Resources Committee

***House Bill No. 291** -- TennCare -- House Commerce Committee

***House Bill No. 292** -- Employees, Employers -- Caption Bill Held on House Desk

***House Bill No. 293** -- Forest and Forest Products -- Caption Bill Held on House Desk

***House Bill No. 294** -- Agriculture -- Caption Bill Held on House Desk

***House Bill No. 295** -- Agriculture -- Caption Bill Held on House Desk

***House Bill No. 296** -- Motor Vehicles, Titling and Registration -- Caption Bill Held on House Desk

House Bill No. 297 -- Garnishments and Executions -- House Judiciary Committee

***House Bill No. 298** -- Driver Licenses -- House Judiciary Committee

House Bill No. 299 -- Charitable Solicitations -- House Consumer & Employees Affairs Committee

House Bill No. 300 -- Emergency Communications Districts -- House State & Local Government Committee

House Bill No. 301 -- Teachers -- House Education Committee

***House Bill No. 302** -- Fire Prevention and Investigation -- Caption Bill Held on House Desk

***House Bill No. 303** -- Housing -- Caption Bill Held on House Desk

***House Bill No. 304** -- Historical Commission -- Caption Bill Held on House Desk

***House Bill No. 305** -- Criminal Offenses -- House Judiciary Committee

***House Bill No. 306** -- Election Laws -- House State & Local Government Committee

***House Bill No. 307** -- Pensions and Retirement Benefits -- House Finance, Ways & Means Committee

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House Bill No. 308 -- Education -- House Education Committee

House Bill No. 309 -- Education -- Caption Bill Held on House Desk

House Bill No. 310 -- Education -- House Education Committee

***House Bill No. 311** -- Pensions and Retirement Benefits -- Caption Bill Held on House Desk

***House Bill No. 312** -- Local Education Agency -- House Education Committee

***House Bill No. 313** -- Redistricting, Legislative & Congressional -- House State & Local Government Committee

***House Bill No. 314** -- Redistricting, Legislative & Congressional -- House State & Local Government Committee

***House Bill No. 315** -- Redistricting, Legislative & Congressional -- House State & Local Government Committee

House Bill No. 316 -- Alcoholic Beverages -- House Finance, Ways & Means Committee

***House Bill No. 317** -- Taxes, Privilege -- House Finance, Ways & Means Committee

***House Bill No. 318** -- Local Education Agency -- House Education Committee

***House Bill No. 319** -- Local Education Agency -- House Education Committee

***House Bill No. 320** -- County Officers -- House State & Local Government Committee

***House Bill No. 321** -- Education -- House Consumer & Employee Affairs Committee

***House Bill No. 322** -- County Officers -- House State & Local Government Committee

***House Bill No. 323** -- Highways, Roads and Bridges -- House State & Local Government Committee

***House Bill No. 324** -- Education -- House Education Committee

House Bill No. 325 -- Jackson County -- Local Bill Held on House Desk

***House Bill No. 326** -- Unemployment Compensation -- House Consumer & Employees Affairs Committee

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***House Bill No. 327** -- Education -- House Education Committee

***House Bill No. 328** -- Workers' Compensation -- House Consumer & Employees Affairs Committee

***House Bill No. 329** -- Courts, General Sessions -- House Judiciary Committee

***House Bill No. 330** -- Sentencing -- House Judiciary Committee

House Bill No. 331 -- Alcoholic Offenses -- House State & Local Government Committee

House Bill No. 332 -- Public Contracts -- House State & Local Government Committee

***House Bill No. 333** -- Municipal Government -- House State & Local Government Committee

***House Bill No. 334** -- Education, Higher -- Caption Bill Held on House Desk

***House Bill No. 335** -- Parks, Natural Areas Preservation -- Caption Bill Held on House Desk

***House Bill No. 336** -- Juvenile Offenders -- House Children and Family Affairs Committee

House Bill No. 337 -- Taxes, Real Property -- House State & Local Government Committee

***House Bill No. 338** -- TennCare -- Caption Bill Held on House Desk

***House Bill No. 339** -- Purchasing -- House State & Local Government Committee

House Bill No. 340 -- Taxes, Real Property -- House State & Local Government Committee

House Bill No. 341 -- Municipal Government -- House State & Local Government Committee

***House Bill No. 342** -- Health -- House Transportation Committee

House Bill No. 343 -- Insurance Companies, Agents, Brokers -- House Commerce Committee

***House Bill No. 344** -- Surplus Property -- House State & Local Government Committee

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***House Bill No. 345** -- Historical Sites -- House Conservation & Environment Committee

House Bill No. 346 -- Tobacco, Tobacco Products -- Caption Bill Held on House Desk

House Bill No. 347 -- Tobacco, Tobacco Products -- Caption Bill Held on House Desk

House Bill No. 348 -- Drugs -- House Judiciary Committee

***House Bill No. 349** -- Forest and Forest Products -- Caption Bill Held on House Desk

House Bill No. 350 -- Public Records -- House Judiciary Committee

***House Bill No. 351** -- Judgments -- House Judiciary Committee

***House Bill No. 352** -- Hospitals and Health Care Facilities -- Caption Bill Held on House Desk

***House Bill No. 353** -- Hospitals and Health Care Facilities -- House Health & Human Resources Committee

House Bill No. 354 -- Opticians -- House Government Operations Committee

House Bill No. 355 -- Bristol -- Local Bill Held on House Desk

***House Bill No. 356** -- Aged Persons -- House Health & Human Resources Committee

***House Bill No. 357** -- Insurance, Health, Accident -- Caption Bill Held on House Desk

House Bill No. 358 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

House Bill No. 359 -- Election Laws -- House State & Local Government Committee

House Bill No. 360 -- Highways, Roads and Bridges -- Caption Bill Held on House Desk

House Bill No. 361 -- Marriage -- House Children and Family Affairs Committee

House Bill No. 362 -- Highway Signs -- House Transportation Committee

House Bill No. 363 -- Law Enforcement -- House State & Local Government Committee

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***House Bill No. 364** -- Juries and Jurors -- Caption Bill Held on House Desk

***House Bill No. 365** -- Criminal Offenses -- Caption Bill Held on House Desk

***House Bill No. 366** -- Privacy, Confidentiality -- Caption Bill Held on House Desk

***House Bill No. 367** -- Firearms and Ammunition -- House Children & Family Affairs Committee

House Bill No. 368 -- Cannon County -- Local Bills Held on House Desk

***House Bill No. 369** -- Courts, General Sessions -- House Judiciary Committee

***House Bill No. 370** -- Criminal Offenses -- Caption Bill Held on House Desk

***House Bill No. 371** -- Anatomical Gifts -- House Health & Human Resources Committee

***House Bill No. 372** -- Food and Food Products -- House Commerce Committee

***House Bill No. 373** -- Education, Higher -- House Education Committee

***House Bill No. 374** -- Juvenile Offenders -- House Children and Family Affairs Committee

***House Bill No. 375** -- Boards and Commissions -- House State & Local Government Committee

House Bill No. 376 -- Highway Signs -- House Transportation Committee

CONSENT CALENDAR

House Resolution No. 8 -- Memorials, Personal Occasion - Charlie Columbus Clabo, 100th birthday. by *Huskey.

House Resolution No. 9 -- Memorials, Personal Achievement - Travis Tweed, Eagle Scout. by *Ferguson.

House Resolution No. 10 -- Memorials, Death - Charles Edward Highsmith and Diane Traugher Highsmith. by *Davidson.

House Joint Resolution No. 31 -- Memorials, Retirement - Jayne Plemons. by *Sharp, *McAfee, *Wood.

House Joint Resolution No. 33 -- Memorials, Death - Dr. Edgar Lattimore Compere. by *Burchett.

THURSDAY, FEBRUARY 6, 1997 -- FOURTH LEGISLATIVE DAY

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 98
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

SPONSORS ADDED

House Bill No. 704: Rep(s). White as prime sponsor(s).

House Bill No. 706: Rep(s). White as prime sponsor(s).

House Bill No. 708: Rep(s). White as prime sponsor(s).

ENROLLED BILLS

February 6, 1997

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 3; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

February 6, 1997

The Speaker signed the following: House Resolution(s) No(s). 3.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

February 6, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17 and 18; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

February 6, 1997

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 31 and 33.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

February 6, 1997

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 12, 13, 14, 15, 26 and 27; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENROLLED BILLS

February 6, 1997

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 21.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

February 6, 1997

The Speaker signed the following: House Joint Resolution(s) No(s). 21.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

February 6, 1997

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 21; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

THURSDAY, FEBRUARY 6, 1997 -- FOURTH LEGISLATIVE DAY

**MESSAGE FROM THE GOVERNOR
February 6, 1997**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 3, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**REPORT OF CHIEF ENGROSSING CLERK
February 6, 1997**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 21.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED
February 6, 1997**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 21, 34, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17 and 18.

**CONSENT CALENDAR
February 6, 1997**

The following local bills have been placed on the Consent Calendar for **February 10, 1997**: House Bill No. 228.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

RECESS MOTION

On motion of Rep. Hargrove, the House recessed until 5:00 p.m., Monday, February 10, 1997.